THE HON'BLE SRI JUSTICE V.V.S.RAO

WRIT PETITION No.18874 of 2006

13.9.2006

Between:

Ram Prakash Agarwal, S/o.Late Motilal Agarwal
And others

… Petitioners

AND

The Sub-Registrar, Champapet, Ranga Reddy District
And another

… Respondents

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ORDER:

The petitioners statedly purchased the land admeasuring Acs.4.15 guntas in survey No.257 situated at Mamidipally Village of Saroornagar Mandal in Ranga Reddy District from Sayeeduddin and three others. It is alleged that on 23.5.2006, when he along with other purchasers and vendors approached the first respondent and presented the documents for registration, after payment of necessary registration charges, the first respondent except giving pending registration No.P.142/2006, refused to complete the registration and return the documents. The land is not a Government Land. Alleging that the action of the first respondent in not registering the document placed before him as illegal and arbitrary, the present writ petition is filed.

Heard learned Counsel for the petitioners and learned Assistant Government Pleader for Revenue (General). It is no doubt true that when a document is presented, it is incumbent on the part of the Registering Officer to examine the same with reference to Sections 31 and 36 of the Registration Act, 1908 (the Act, for brevity) and/or Rules 26 and 58 of the Andhra Pradesh Rules under the Act. This aspect of the matter was considered by my learned brother Hon'ble Sri Justice A.Gopal Reddy in W.P.No.15199 of 2004 dated 01.9.2004.

Following the above, this writ petition is disposed of directing the first respondent or any other Registering Officer, that as and when the petitioners submit the document for registration, the same may be accepted and considered for registration. Be it noted, if for any reason, the document presented is not registered, it is incumbent on the part of the Registering Officer to record and furnish reasons under Section 71

of the Act. No costs.

(**V.V.S.RAO,J**)

September 13, 2006.

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